

BARNES & THORNBURG LLP

P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 357-1313
(312) 759-5646 Fax

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Group:</i>	1638	}
		}
<i>Confirmation No.:</i>	3359	}
		}
<i>Application No.:</i>	10/766,389	}
		}
<i>Invention:</i>	Enhanced Plant Cell Transformation By Addition Of Host Genes Involved In T-DNA Integration	}
		}
		}
<i>Applicant:</i>	Stanton B. Gelvin and Kirankumar S. Mysore	}
		}
		}
<i>Filed:</i>	01/26/2004	}
		}
<i>Attorney</i>		}
<i>Docket:</i>	3220-95461	}
		}
<i>Examiner:</i>	ZHENG, LI	}

CORRECTION FOR NOTICE OF ALLOWANCE AND ISSUE FEE DUE

MS: AF
Commissioner of Patents
Alexandria, VA 22313-1450

Dear Sir:

On page 2 of the Notice of Allowability, Allowable Subject Matter should be claims 4, 10-14 as on page 1 (see attached).

No fees are believed due at this time, however, please charge any deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number (3220-95461).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Alice O. Martin', written in a cursive style.

Alice O. Martin
Reg. No. 35,601

Date: August 9, 2007

BARNES & THORNBURG LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312)-214-8316

Notice of Allowability

Application No.

10/766,389

Examiner

Li Zheng

Applicant(s)

GELVIN ET AL.

Art Unit

1638

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to paper filed 6/13/07.
2. ☒ The allowed claim(s) is/are 4 and 10-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
 Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
 Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Status of Rejections

All the rejections are withdrawn in light of submission of the declaration under 37 C.F.R. § 1.132 and the terminal disclaimer, as well as claim amendment.

Allowable Subject Matter

Should be :

Claims 1, 3-15, 17-22, and 33 are allowed.

(4, 10-14)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li Zheng whose telephone number is 571-272-8031. The examiner can normally be reached on Monday through Friday 9:00 AM - 5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached on 571-272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.